

EXHIBIT R

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RENNOWN HEALTH POLICY		Page 1 of 6	
Title:	Code of Conduct: Harassment	Current Version Effective Date:	<u>04/15</u>
Category:	Human Resources	Next Review Date:	<u>04/18</u>
Number:	RENNOWN.HRM.145	Creation Date:	<u>/</u>
Author:	Michelle Sanchez-Bickley, Renown Health Vice President of Human Resources	Revision History:	<u>09/02</u> / <u>04/14</u> / <u>03/15</u> / <u>/</u> 3152015lh

Scope: Renown Health and its affiliated companies.

Purpose: To outline the organization's expectations concerning a workplace environment, free from forms of prohibited conduct, including without limitation, harassment.

Policy: The organization is committed to maintaining a work environment free of prohibited conduct and does not tolerate prohibited conduct towards employees by anyone, including without limitation, management, co-workers, vendors, volunteers, students, providers, clients, visitors or patients of the organization.

Definition of Terms:

1. **Conduct** – Conduct means behavior which may be manifested verbally, physically and/or visually. Conduct includes the display of objects, including clothing items, whether intentional or unintentional.
2. **Prohibited Conduct** – Prohibited conduct is behavior that constitutes Harassment, Sexual Harassment, or Intimidation, or that creates a Hostile or Offensive Working Environment as defined below. Prohibited conduct may be manifested against co-workers or third parties.
3. **Harassment** – In the workplace occurs when:
 - a. A person knowingly threatens to cause or commits an act that causes:
 - b. Bodily injury to the person or another person;
 - c. Damage to the property of another person; or,
 - d. Substantial harm to the physical or mental health or safety of a person
 - e. The threat is made or the act is committed against an employer or an employee while the employee performs the duties of employment, or a person present at the workplace of the employer; and,
 - f. The threat would cause a reasonable person to fear that the threat will be carried out or the act would cause a reasonable person to feel terrorized, frightened, intimidated or harassed.
4. **Harassment** is defined as unwelcome conduct, behavior, speech, action, gestures, whether

RENNOWN HEALTH POLICY		Page 2 of 6	
Title:	Code of Conduct: Harassment	Current Version Effective Date:	<u>04/15</u>
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			3152015th

verbal, physical or visual, which creates an intimidating, hostile or offensive working environment that might be based upon a person's status, including without limitation, appearance, physical characteristics, sex, sexual orientation, gender identity or expression, genetic information, color, race, ancestry, religion, national origin, age, medical condition, disability, marital status, veteran or military National Guard status, citizenship status, pregnancy, or any other protected group status specified by federal, state or local laws.

5. **Sexual Harassment** - defined as unwelcome sexual advances, requests for sexual favors, sexually oriented acts or speech and other conduct, behavior, speech or acts, intentional or not, when: (1) submission to the conduct is an explicit or implicit term or condition of employment; (2) submission to or rejection of the conduct is used as the basis for an employment decision; or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or creating an intimidating, hostile, coercive or offensive working environment. **Sexual harassment** may include, but is not limited to, any of the following:
 - a. Sexual propositions or advances
 - b. Sexual innuendos
 - c. Suggestive comments or language
 - d. Sexually oriented "kidding", "teasing" or "practical jokes"
 - e. Jokes about gender-specific traits; sexually degrading or vulgar words to describe a person
 - f. Foul or obscene language or gestures
 - g. Possession in the workplace, display or distribution (including e-mail) of sexually suggestive objects, pictures or cartoons; foul or obscene materials
 - h. Unwelcome physical contact such as patting, pinching, or brushing against another's body; staring, leering, whistling
 - i. Requests for or implications that a promotion or benefit (e.g. raise, assignment, continued assignment, etc.) is dependent on the receipt of sexual favors
 - j. Talking about one's sexual activities; unwelcome comments about an individual's body, sexual prowess or sexual deficiencies; inquiries about sexual conduct
 - k. Assault or coerced sexual acts or contact.
6. **Intimidation** - defined as conduct or speech that makes the Reasonable Person timid or fearful for their safety or the safety of others (i.e., violent statements or actions, threatening, implying or appearing to condone violence).

RENNOWN HEALTH POLICY		Page 3 of 6	
Title:	Code of Conduct: Harassment	Current Version Effective Date:	<u>04/15</u>
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7. Hostile working environment - defined as a working environment in which the employee suffers no tangible employment benefit or detriment but where a reasonable person would find the work atmosphere to be offensive or abusive because of inappropriate conduct. Violence or threats of violence, whether serious or in jest, are strictly prohibited in the workplace.

8. Offensive working environment - defined as a working environment that would give the reasonable person employee(s) painful or unpleasant sensations causing displeasure or resentment as a result of conduct.

9. Third Parties – Individuals who are not Renown employees, but who have interactions with Renown employees or on Renown premises, including vendors, volunteers, students, patients, providers and visitors.

10. Reasonable Person Standard: The act/threat/etc. would cause a reasonable person to fear that the threat/act will be carried out or the act would cause a reasonable person to feel terrorized, frightened, intimidated or harassed.

Procedure:

1. No Retaliation - No retaliation or reprisals will be taken against anyone who makes a good faith discrimination or harassment complaint. The organization will not tolerate any employee at any level retaliating against any other employee who made a harassment complaint or who participated in an investigation. Any employee who feels that retaliatory action has been taken at any time because he/she made a complaint of harassment or participated in an investigation should immediately report the incident to the appropriate Human Resources Business Partner.
2. Management Responsibility
 - a. To enforce this policy against prohibited conduct in the workplace. This duty includes discussing this policy with all of their employees and assuring them that they are not required to endure prohibited conduct of any sort as defined within this policy.
 - b. To explain to their employees that violations of this policy will be subject to investigation and possible disciplinary action. Additionally, to the extent possible and

RENNOWN HEALTH POLICY		Page 4 of 6	
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consistent with a thorough investigation, the organization will make every effort to preserve the confidentiality of identities and statements made to investigating parties.

c. To report any incident of prohibited conduct immediately to their Director or to the Human Resources Department within 24 hours or the next business day, whichever is first. Direct supervisors will be required to participate in any investigations in conjunction with Human Resources.

3. Director's Responsibility

- a. Responsible for insuring that all their direct reports enforce this and all other organization policies.
- b. Responsible for forwarding all reports of incidents of prohibited behavior to Human Resources within 24 hours of receipt or the next business day, whichever is first.

4. Employee Responsibility

- a. Any employees who believe that they have seen or have been subjected to prohibited conduct should report the act immediately to their supervisor (if not the subject of the complaint) or Human Resources.
- b. Although contacting the immediate supervisor is the usual procedure in reporting an act of prohibited conduct, there may be situations when an employee would prefer to discuss the situation outside the immediate work area. Therefore, an employee may choose to contact their Human Resources Business Partner or any other member of the Human Resources staff directly without first contacting his or her immediate supervisor.
- c. The organization strongly advises any employee who believes that he or she has been subjected to sexual harassment to follow the organization's internal complaint and investigation procedure in order to expedite a resolution of the problem.
- d. If an employee reports alleged harassment to a supervisor and no satisfactory action is taken, the employee must file a report with their Human Resources Business Partner or other Human Resources staff.

RENOWN HEALTH POLICY		Page 5 of 6	
Title:	Code of Conduct: Harassment	Current Version	<u>04/15</u>
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5. Human Resources Responsibility

The Human Resources Department has responsibility to investigate all prohibited conduct complaints in a thorough, prompt and confidential manner. Confidentiality will be maintained to the extent reasonably possible.

- a. If Human Resources determines that harassment, sexual or otherwise, has occurred, it will be the Human Resources Department's responsibility to recommend the appropriate corrective action up to, and possibly including immediate termination of employment. Corrective action will be commensurate with the severity of the offense.

6. Policy Violations

- a. Engaging in Harassment – Any employee who engages in conduct determined to be harassment, or who encourages such conduct by others, shall be subject to corrective action and/or other actions. Non-employees who engage in conduct determined to be harassment, or who encourages such conduct by others, will be subject to review and investigation by the Human Resources Department or designees, and will be subject to corrective action, including without limitation, prohibition from Renown property, reporting to law enforcement or other agencies or other appropriate action
- b. Allowing Harassment to Continue – Leaders and employees who witness behavior, conduct or language that s/he reasonably believes constitutes harassment must report such incident to his/her supervisor or the Human Resources, unless s/he knows that the employee has already reported appropriately. Leaders who fail to take appropriate action (including reporting) upon becoming aware of the harassment may be considered a party to the offense, even though they did not engage in such behavior, and shall be subject to corrective action.

7. Policy Distribution

This policy will be made available for review by all Renown employees, by either distribution to employees, or the policy will be made available on the Renown intranet.

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RENNOWN HEALTH POLICY		Page 6 of 6	
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			<u>03/15</u>
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Approvals:

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